

MINUTES

248th Meeting Contractors' Registration and Licensing Board June 9, 2010

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:45 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. Dave Caldwell and seconded by Mr. Arthur Salisbury.

(C) The minutes of the 247th meeting was approved on a motion by Mr. Arthur Salisbury and seconded by Mr. Dave Caldwell.

(D) Court Case Update:

**Contractors' Registration & Licensing Board: May/June 2010
Funds Collected Via AG Prosecution or Settlement Agreement**

Defendant Fine Restitution Victim

Ogilvie \$160 Zeigelmayer

Thomasian \$100 Spacone

Marr \$40 Lamphere

Richards III \$5,600 Bannister

TOTAL \$5,900

Total fines and restitution: \$5,900

Contractors' Registration & Licensing Board: May/June 2010

Court Ordered Dispositions

Defendant Fine Restitution Victim

Perlingiero \$500 \$2,841 Olsen

Mitchell \$500 \$2,400 Choquette

TOTAL \$1,000 \$5,241

Total fines and restitution: \$6,241

Arrested on Warrant:

Alan Henry, Registration # 28837

David Perlingiero, Registration # 16166

(E) Consideration of Cases on Appeal and Oral Argument:

1.) 12:40 PM, Claim #7114, Bernstrom vs. John Fink III, registration #13339, exceptions filed by the Respondent. The matter which was heard by the Board with all the parties present last month was reviewed again this month but the Claimant was unable to attend and asked that the Respondent be given until next month to complete

balance of work. The Respondents attorney was under the impression that his client had performed all the work required; however the investigator and Respondent will return to property for proper verification. If all the work is found to be in compliance this matter will be closed; otherwise it will be rescheduled for the next Board meeting.

2.) 1:00 PM, Claim #7108, Holmes vs. Corsi Jr., Quality Swimming Pool & Spas, Inc., The Board continued this matter again, in that the Respondents attorney has been working with his insurance company and the executive director for the Board on a possible settlement with the parties. Matter will be heard next month if no settlement is reached.

3.) 1:20 PM, Claim # 7170, Salvatore vs. Boillard, registration #22075; Motion to

vacate final order regarding REVOKED registration and fines The homeowner showed,

but the contractor who filed the motion failed to attend. The Board listened to the

homeowners concerns and a motion was made by J. Larry Brillion and seconded by

Felix Carlone not to vacate the order and fines assessed in the order. Motion carried

unanimously.

EXPUNGEMENTS:

1.) 1:40 PM, M. J. Seaberg & Sons Construction, Michael Seaberg, registration #30458; request for expungement of violation # 6144, hiring a non - registered contractor. The contractor failed to show after notice and opportunity. A motion was made by J. Larry Brillion and seconded by Ed Ladouceur to deny the expungement which passed unanimously.

2.) 1:45 PM, Daniel P. Keefe, registration #13222, request for expungement of Claims: 5173, 5472, 5988, 6625, & 6632; additionally violation #7013, hiring a non- registered subcontractor. At the request of the contractor this matter was continued until the Boards next meeting in July.

(F) Report of the Executive Director and Staff:

(1) Statistics Report: 06/09//2010

Registrations:

Number of Registered Contractors	11649
Number of Cards Surrendered	5139
Number of Cards Expired/Lapsed	15300
Number of Cards Invalidated	994
Number of Cards Suspended	461
Number of Cards Revoked	84

Registration Actions

05/12/2010-06/09/2010

Number of New Registered Contractors 99

Number of Renewed Contractors 11550

Number of Cards Surrendered 28

Registrations Invalidated 1 Registrations Suspended 2

Registrations Revoked 1

Claims:

Administrative Appeals 7

Board Appeals 5

Address Trace 126

Awaiting Further Action 51

Court

540

Disposed 5896

Final Orders 43

Hearings 49

Out of State Services 28 Proposed Orders 79

Under Investigation 110

Total Claims Filed with the Board 6934

Number of New Claims Processed 8

05/12/2010-06/09/2010

Violations:

Action Against Registration	19
Advertising	6
Non-Registered Subcontractors	12
Cancelled Insurance	1192
Notice of Hearing	4
Non-Registered Contractors	781
TOTAL RECORDS	2014

Number of New Violations **6**

05/12/2010-06/09/2010

Lapsed Registrations/Never Re-Newed:

April	2009	107
May	2009	105
June	2009	
92		
July	2009	
80		
August	2009	
77		

September	2009
112	
October	2009
115	
November	2009
110	
December	2009
103	
January	2010
105	
February	2010
133	
March	2010
161	
April	2010
205	
May	2010
262	

Month	# Tickets Issued
Fines	

April	8
\$6,250.00	
May	8
\$4,700.00	

June	16
\$5,300.00	
July	6
\$3,250.00	
August	3
\$ 800.00	
September	3
\$1,600.00	
October	3
\$1,650.00	
November	2
\$6,000.00	
December	1
\$ 500.00	
January	0
\$	
February	3
\$1,750.00	
March	3
\$1,000.00	
April	1
\$ 250.00	

Commercial Roofers: 06/09/2010

Number registered 130

Number surrendered	15
Number invalidated	47
Number suspended	0
Number revoked	0
Pending approval	0

Registration Actions; 05-12-2010-06/09/2010

Number of New Registered Contractors	0
Number of Renewed Roofer Contractors	130
Number of Cards Surrendered	0
Number of Expired/Lapsed	0
Registrations Invalidated	0
Registrations Suspended	0
Registrations Revoked	0

(G) Old Business:

(1.) Review of regulations, laws and standards, established by sub-committee,

report of committees and progress. No further meetings have been held and currently the executive director is working on information so the committee can save time in the sub-committee meetings and the rules and regulations can be reviewed quicker.

(H) New Business:

(1.) Study Commission; No new meetings have been held so far this year and the committee is scheduled to be sunseted in late June 2010.

(2.) Legislation; S-2350 was heard in committee by both the House and Senate awaiting passage.

(3.) Computer Software Program Update on Progress (DBR); several meetings have transpired and recently CAVU sent representative to meet at DBR to discuss this program and the time table. This matter is still pending transfer of information to the participants.

(4.) Retention Schedule; still needs to be addressed by the sub-committee.

Attorney Christy Hetherington will review and report back to committee on suggested changes.

(5.) Position: Board has approval of position which will be filled after the first of July 2010.

(6.) Code Books; New Rhode Island code is now available and

new code goes

into effect on July 1, 2010.

(7.) Position; still waiting to hear from personnel regarding candidates that

have the qualifications to be interviewed.

(8.) Sample contracts & forms; this matter was discussed in brief, concerns as

to the Boards liability. This may require further research from staff and the

Boards attorney and is still a pending matter.

(9.) Appointments; currently no new appointments have been made and all

appointments for the Board, except one will be up in September 2010.

(10.) NASCLA Directors Meeting will be held in Charleston, South Carolina

in late August.

month. Executive committee coming to Rhode Island later this month.

(11.) Board wants the executive director to submit requisitions for computers

and other necessary equipment.

(I) Public Comment: Maryann Kassey addressed the Board in regard to her claim which was filed with the Board on March 12, 2010 and investigated by Mike Lanni. The matter was disposed by the

investigator on March 30, 2010 in that the determination he made was that the matter was better suited for court. Ms. Kassey was very concerned that this matter was not properly handled and expressed to the Board that she felt that this was a matter that the Board could resolve. After much discussion the Board on a motion by Arthur Salisbury and second by Bill Nash on a 5 to 4 vote elected to put this claim on next months calendar to allow the parties notice and opportunity as well as the investigator the ability to discuss this matter further for consideration of the Claimants motion to vacate the decision to dismiss. Notices will be sent to the parties and will be put on the July 14, 2010 schedule.

(J) Announcements: The next Board meeting is scheduled for Wednesday

July 14, 2010 at 12:30 PM Conference Room

“A”, 2nd Floor,

One Capitol Hill;

(K) Adjournment: A motion was made by Dave Caldwell seconded by Steven Gianlorenzo to adjourn at 3:30 PM.

Members Present: D. Caldwell, A. Salisbury, F. Carlone, T. Furey, R. Caniglia

JL Brillon, W. Nash, E.Ladouceur, S. Carlino, & R. Cardoza.

Members Absent: B. Calcagni and E. Anderson, both who have resigned

from the Board and positions are pending new appointments; P

Brunetti, S. Gianlorenzo, & R. Welch.

Others Present: George Whalen (Executive Director), Christy Hetherington (Attorney Generals Office, legal counsel), stenographer, staff and parties for appeals and motions.

Respectfully Submitted,

George W. Whalen

Executive Director

Rhode Island Contractors' Registration and Licensing Board